

PATENT

Customer Number: 22,852

Attorney Docket No. 3804.0135-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Francis BLANCHE et al.)

) Group Art Unit: 1635

Application No.: 09/981,803)

) Examiner: Not Yet Assigned

Filed: October 19, 2001)

For: DNA MOLECULES,)
PREPARATION THEREOF)
AND USE THEREOF IN GENE)
THERAPY)**RECEIVED**
FEB 11 2002
TECH CENTER 1600/2900Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before a first Office Action on the merits in the above-referenced application.

Copies of the listed documents were previously submitted or cited by the Examiner in a prior application, application no. 08/894,511, filed August 19, 1997, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Copies of the listed documents that were not previously submitted or cited by the Examiner are enclosed. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 5, 2002

By: 
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